

JOURNAL OF THE SENATE

Sixty-fourth Legislative Assembly

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Bismarck, April 9, 2015

The Senate convened at 9:00 a.m., with President Wrigley presiding.

The prayer was offered by Reverend Corey Warner, Zoar Congregational Church, Mott.

The roll was called and all members were present except Senators Laffen and Oehlke.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

HB 1162, as engrossed: SEN. FLAKOLL (Education Committee) MOVED that the amendments on SJ pages 1240-1278 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed on a voice vote.

Engrossed HB 1162 was rereferred to the **Appropriations Committee**.

MOTION

SEN. KLEIN MOVED that Senate Rule 329(4) be amended replacing "fifty-ninth legislative day" to "sixty-fourth legislative day", which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1390, as reengrossed and amended: SEN. ARMSTRONG (Appropriations Committee) MOVED that the amendments on SJ pages 1278-1280 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1390: A BILL for an Act to create and enact section 23-29-04.2 of the North Dakota Century Code, relating to establishment by the state department of health of one or more operating pilot projects to examine and determine standards for rules governing operations and permitting of commercial oilfield special waste recycling facilities for oilfield special waste from oil and gas drilling and production operations; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed HB 1390, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1054, as engrossed: SEN. UNRUH (Finance and Taxation Committee) MOVED that the amendments on SJ pages 1239-1240 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1054: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to assessment of agricultural property; to provide for a legislative management study; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 35 YEAS, 10 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Bekkedahl; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Krebsbach; Larsen; Lee, J.; Marcellais; Mathern; Murphy; Nelson; Poolman; Robinson; Rust; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wardner; Warner

NAYS: Axness; Bowman; Klein; Lee, G.; Luick; Miller; O'Connell; Oban; Schaible; Wanzek

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1054, as amended, passed.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1057, Engrossed HB 1068, Engrossed HB 1217, Engrossed HB 1244, HB 1255, Engrossed HB 1313, Engrossed HB 1360, Engrossed HB 1372, and Engrossed HB 1474, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

HB 1057: Sens. Laffen, Oehlke, Dotzenrod
Engrossed HB 1068: Sens. Armstrong, Unruh, Triplett
Engrossed HB 1217: Sens. Burckhard, J. Lee, Grabinger
Engrossed HB 1244: Sens. Anderson, Larsen, Warner
HB 1255: Sens. J. Lee, Dever, Axness
Engrossed HB 1313: Sens. Klein, Poolman, Murphy
Engrossed HB 1360: Sens. Rust, Oehlke, Axness
Engrossed HB 1372: Sens. Dever, Poolman, Marcellais
Engrossed HB 1474: Sens. Davison, Dever, Nelson

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2031 as printed on SJ pages 1176-1196 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on:

Reengrossed SB 2031: Sens. Flakoll, Schaible, Marcellais.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2031, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2031: Sens. Flakoll; Schaible; Marcellais

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2178: Reps. Zubke; Looyesen; Kelsh

SB 2295: Reps. Porter; Seibel; Muscha
SB 2333: Reps. Karls; Klemin; Wallman

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1241, HB 1450, and HB 1457.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1106, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1106: Reps. Paur; Maragos; Delmore

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1057: Sens. Laffen; Oehlke; Dotzenrod
HB 1068: Sens. Armstrong; Unruh; Triplett
HB 1217: Sens. Burckhard; J. Lee; Grabinger
HB 1244: Sens. Anderson; Larsen; Warner
HB 1255: Sens. J. Lee; Dever; Axness
HB 1313: Sens. Klein; Poolman; Murphy
HB 1360: Sens. Rust; Oehlke; Axness
HB 1372: Sens. Dever; Poolman; Marcellais
HB 1474: Sens. Davison; Dever; Nelson

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)
MR. SPEAKER: Your signature is respectfully requested on: SB 2004, SB 2043, SB 2189, SB 2214, SB 2250, SB 2271, SB 2274, SB 2348, SCR 4019.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1033, HB 1201, HB 1469, HCR 3028, HCR 3039, HCR 3051, HCR 3055, HCR 3056.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: Your signature is respectfully requested on: HB 1040, HB 1072, HB 1085, HB 1284.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The Speaker has signed: SB 2004, SB 2043, SB 2189, SB 2214, SB 2250, SB 2271, SB 2274, SB 2348, SCR 4019.

MOTION

SEN. KLEIN MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Wrigley presiding.

REPORT OF STANDING COMMITTEE

HB 1011, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1011 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 19 with:

"Administration	\$3,466,113	\$264,288	\$3,730,401
Field operations	48,596,777	7,855,421	56,452,198
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	<u>1,110,651</u>	<u>(1,110,651)</u>	<u>0</u>

Total all funds	\$54,855,584	\$5,407,015	\$60,262,599
Less estimated income	<u>12,594,542</u>	<u>533,160</u>	<u>13,127,702</u>
Total general fund	\$42,261,042	\$4,873,855	\$47,134,897
Full-time equivalent positions	213.00	4.00	217.00"

Page 2, line 19, replace "\$6,606,826" with "\$6,752,491"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Administration	\$3,466,113	\$3,743,953	(\$13,552)	\$3,730,401
Field operations	48,596,777	55,285,998	1,166,200	56,452,198
Law enforcement training academy	1,682,043	80,000		80,000
Accrued leave payments	<u>1,110,651</u>			
Total all funds	\$54,855,584	\$59,109,951	\$1,152,648	\$60,262,599
Less estimated income	<u>12,594,542</u>	<u>12,994,447</u>	<u>133,255</u>	<u>13,127,702</u>
General fund	\$42,261,042	\$46,115,504	\$1,019,393	\$47,134,897
FTE	213.00	213.00	4.00	217.00

Department No. 504 - Highway Patrol - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds 4 Trooper FTE Positions ²	Increases Funding for Vehicle Equipment Installation ³	Total Senate Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	1,086,989	220,000	1,166,200
Law enforcement training academy				
Accrued leave payments				
Total all funds	(\$154,341)	\$1,086,989	\$220,000	\$1,152,648
Less estimated income	<u>(30,560)</u>	<u>135,815</u>	<u>28,000</u>	<u>133,255</u>
General fund	(\$123,781)	\$951,174	\$192,000	\$1,019,393
FTE	0.00	4.00	0.00	4.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added for 4 new trooper FTE positions as follows:

Base salaries and benefits	\$646,849
Operating expenses and equipment	402,000
3 percent annual salary increases	23,880
Health insurance premiums	<u>14,260</u>
Total	\$1,086,989

³ Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000. The House increased funding for vehicle equipment installation costs by \$300,000.

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,752,491.

REPORT OF STANDING COMMITTEE

HB 1012, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1012 was placed on the Sixth order on the calendar.

Page 1, line 5, remove "and"

Page 1, line 6, after "exemptions" insert "; and to provide for application"

Page 1, replace lines 16 through 22 with:

"Salaries and wages	\$187,477,585	\$20,300,693	\$207,778,278
Accrued leave payments	7,280,897	(7,280,897)	0
Operating expenses	376,721,715	19,101,036	395,822,751
Capital assets	727,911,207	376,185,753	1,104,096,960
Grants	<u>79,788,030</u>	<u>(16,120,000)</u>	<u>63,668,030</u>
Total all funds	\$1,379,179,434	\$392,186,585	\$1,771,366,019
Less estimated income	<u>1,379,179,434</u>	<u>392,126,585</u>	<u>1,771,306,019</u>
Total general fund	\$0	\$60,000	\$60,000
Full-time equivalent positions	1,079.50	1.00	1,080.50"

Page 2, replace lines 4 through 18 with:

"General fund transfer to highway fund	\$541,600,000	\$0
Enhanced state highway investments	1,161,600,000	504,115,558
TIGER III federal railroad program	10,000,000	0
General license plate issue	6,820,000	0
Contingent general fund transfer to public transportation fund	1,100,000	0
Airplane replacement	4,500,000	0
Transportation distribution to oil-producing counties	160,000,000	0
Transportation distribution to non-oil-producing counties	120,000,000	0
Recreational road access	0	3,000,000
Vehicle registration and titling system replacement	0	2,500,000
Motor coach reimbursement from colleges	0	750,000
Truck size and weight harmonization study	<u>0</u>	<u>60,000</u>
Total all funds	\$2,005,620,000	\$510,425,558
Total special fund	<u>541,600,000</u>	<u>510,365,558</u>
Total general fund	\$1,464,020,000	\$60,000"

Page 3, line 6, replace "\$1,000,000" with "\$3,000,000"

Page 3, line 12, after "**APPROPRIATION**" insert "- **STRATEGIC INVESTMENT AND IMPROVEMENTS FUND**"

Page 3, line 14, replace "\$2,000,000" with "\$10,000,000"

Page 4, replace lines 3 through 9 with:

"SECTION 8. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of \$20,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of providing grants to eligible cities, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item. For purposes of this section, an "eligible city" means a city with a population of more than 563 but fewer than 581 according to the most recent official decennial federal census.

SECTION 9. DEPARTMENT OF TRANSPORTATION - TRUCK SIZE AND WEIGHT HARMONIZATION. The operating expenses line item in section 1 of this Act, includes the sum of \$60,000 from the general fund, for the department of transportation to collaborate with the upper great plains transportation institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the western states transportation alliance regarding standard commercial truck envelope limits of 129,000 pounds gross vehicle combination weight or 100 foot cargo carrying length and potential implications, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 10. LEGISLATIVE MANAGEMENT STUDY - TRUCK SIZE AND WEIGHT HARMONIZATION. During the 2015-16 interim, the legislative management shall study the truck size and weight provisions under chapter 39-12 of North Dakota century code, related to size, width, and height restrictions, in order to ensure the state of North Dakota can harmonize its truck size and weight regulations with the regulations of the states in the western states transportation alliance, and shall utilize the findings of the collaborative study of the department of transportation and the upper great plains transportation institute to determine appropriate changes to state law. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 11. APPROPRIATION - CONTINGENT TRANSFERS - GENERAL FUND TO PUBLIC TRANSPORTATION FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,900,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the public transportation fund pursuant to this section during the biennium beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall transfer the sum of \$950,000 on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5,600,000 or less during the period beginning July 1, 2014 and ending June 30, 2015. The office of management and budget shall transfer the sum of \$950,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5,600,000 or less during the period beginning July 1, 2015 and ending June 30, 2016."

Page 5, line 11, remove "into"

Page 5, line 12, after "At" insert "least one year before"

Page 5, line 13, remove "current"

Page 5, line 13, remove "into"

Page 5, line 15, remove "into"

Page 5, after line 23, insert:

"SECTION 17. RAIL SAFETY REPORT TO LEGISLATIVE MANAGEMENT.

During the 2015-16 interim, the director of the department of transportation shall report to a committee designated by the legislative management regarding rail safety. The report must include:

1. Current railroad conditions, including crossings and rail lines;
2. A review of train speeds;
3. Existing railroad freight and passenger demands and future needs;
4. A review of emergency response procedures in the state;
5. A review of tank car specifications; and
6. A review of economic, safety, and environmental impacts on the state, including correlation with other modes of transportation, such as highways, pipelines, and air."

Page 6, replace lines 6 through 19 with:

"SECTION 20. APPLICATION. Section 16 of this Act applies to applicable contracts, regardless of whether entered before or after the effective date of this Act."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1012 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
State Treasurer				
Total all funds	\$0	\$8,000,000	\$0	\$8,000,000
Less estimated income	0	0	0	0
General fund	\$0	\$8,000,000	\$0	\$8,000,000
Department of Transportation				
Total all funds	\$1,379,179,434	\$2,277,030,434	\$13,371,143	\$2,290,401,577
Less estimated income	1,379,179,434	1,771,914,876	9,411,143	1,781,326,019
General fund	\$0	\$505,115,558	\$3,960,000	\$509,075,558
Bill total				
Total all funds	\$1,379,179,434	\$2,285,030,434	\$13,371,143	\$2,298,401,577
Less estimated income	1,379,179,434	1,771,914,876	9,411,143	1,781,326,019
General fund	\$0	\$513,115,558	\$3,960,000	\$517,075,558

House Bill No. 1012 - Department of Transportation - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$187,477,585	\$208,387,135	(\$608,857)	\$207,778,278
Operating expenses	376,721,715	395,173,751	649,000	395,822,751
Capital assets	727,911,207	1,102,685,960	1,411,000	1,104,096,960
Grants	79,788,030	63,668,030		63,668,030
Accrued leave payments	7,280,897			
General fund transfer to highway fund		504,115,558		504,115,558
Short line railroad program		2,000,000	8,000,000	10,000,000
General fund trans. to special road fund		1,000,000	2,000,000	3,000,000
City grants			20,000	20,000
Contingent transfer			1,900,000	1,900,000
Total all funds	\$1,379,179,434	\$2,277,030,434	\$13,371,143	\$2,290,401,577
Less estimated income	1,379,179,434	1,771,914,876	9,411,143	1,781,326,019
General fund	\$0	\$505,115,558	\$3,960,000	\$509,075,558
FTE	1079.50	1079.50	1.00	1080.50

Department No. 801 - Department of Transportation - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for New Environmental Scientist III ²	Adjusts Funding for Maintenance Management System ³	Adds One-Time Funding for Recreational Road Access Improvements ⁴	Adds One-Time Funding for Short Line Railroad Program ⁵	Adds One-Time Funding for Truck Size and Weight Harmonization Study ⁶
Salaries and wages	(\$811,779)	\$202,922				
Operating expenses			589,000			60,000
Capital assets			(589,000)	2,000,000		
Grants						
Accrued leave payments						
General fund transfer to highway fund						
Short line railroad program					8,000,000	
General fund trans. to special road fund						
City grants						
Contingent transfer						
Total all funds	(\$811,779)	\$202,922	\$0	\$2,000,000	\$8,000,000	\$60,000
Less estimated income	(811,779)	202,922	0	2,000,000	8,000,000	0
General fund	\$0	\$0	\$0	\$0	\$0	\$60,000
FTE	0.00	1.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Grants to Eligible Cities ⁷	Transfers Funding to Special Road Fund ⁸	Adds Contingent Transfer to Public Transportation Fund ⁹	Total Senate Changes
Salaries and wages				(\$608,857)
Operating expenses				649,000

Capital assets				1,411,000
Grants				
Accrued leave payments				
General fund transfer to highway fund				
Short line railroad program				8,000,000
General fund trans. to special road fund		2,000,000		2,000,000
City grants	20,000			20,000
Contingent transfer			1,900,000	1,900,000
Total all funds	\$20,000	\$2,000,000	\$1,900,000	\$13,371,143
Less estimated income	20,000	0	0	9,411,143
General fund	\$0	\$2,000,000	\$1,900,000	\$3,960,000
FTE	0.00	0.00	0.00	1.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added from other funds for a new environment scientist III full-time equivalent position (\$195,143) and related salary increase (\$7,779).

³ Funding is adjusted from the capital assets line item to the operating expenses line item for the maintenance management system.

⁴ One-time funding is increased from \$1 million to \$3 million from the special road fund for improvements to roads that lead to recreational areas.

⁵ Funding from the strategic investment and improvements fund for the Department of Transportation's short line railroad program is increased from \$2 million to \$10 million.

⁶ Adds a section appropriating one-time funding from the general fund for the Department of Transportation to collaborate with the Upper Great Plains Transportation Institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the Western States Transportation Alliance.

⁷ Adds a section appropriating one-time funding from the strategic investment and improvements fund to provide \$20,000 for grants to eligible cities.

⁸ The one-time general fund transfer to the special road fund for improvements to roads that lead to recreational areas is increased from \$1 million to \$3 million.

⁹ A section is added providing an appropriation and contingent transfer from the general fund to the public transportation fund for making a \$950,000 transfer on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5.6 million or less during fiscal year 2015 and another transfer of \$950,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5.6 million or less during fiscal year 2016.

This amendment also:

- Provides for a Legislative Management study regarding truck size and weight harmonization.
- Adds a section requiring the Department of Transportation to report to the Legislative Management on rail safety.
- Removes a section that provided legislative intent for the Department of Transportation to refrain from using any of the funds appropriated to the department for the 2015-17 biennium for construction or repair of buildings or any new information technology improvements unless the department receives federal funding of at least the amount anticipated by the 64th Legislative Assembly.

REPORT OF STANDING COMMITTEE

HB 1014, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)

recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1014 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first semicolon insert "to provide a contingent appropriation;"

Page 1, line 3, replace "to provide legislative intent;" with "to create and enact a new section to chapter 6-09;"

Page 1, line 6, replace the second "and" with "to provide exemptions; to provide legislative intent; to provide for reports to legislative management;"

Page 1, line 7, after "date" insert "; and to declare an emergency"

Page 1, remove lines 19 through 24

Page 2, replace lines 1 through 3 with:

"Salaries and wages	\$17,873,876	\$6,302,505	\$24,176,381
Accrued leave payments	347,696	(347,696)	0
Operating expenses	4,775,576	4,595,154	9,370,730
Capital assets	0	13,666,822	13,666,822
Grants	19,500,000	(14,500,000)	5,000,000
Grants - bond payments	<u>19,809,969</u>	<u>(4,769,140)</u>	<u>15,040,829</u>
Total all funds	\$62,307,117	\$4,947,645	\$67,254,762
Less estimated income	<u>40,973,792</u>	<u>(23,979,345)</u>	<u>16,994,447</u>
Total general fund	\$21,333,325	\$28,926,990	\$50,260,315
Full-time equivalent positions	98.75	28.00	126.75"

Page 2, replace lines 8 through 11 with:

"Bank of North Dakota operations	\$51,523,916	\$7,018,385	\$58,542,301
Accrued leave payments	881,231	(881,231)	0
Capital assets	<u>745,000</u>	<u>17,000,000</u>	<u>17,745,000</u>
Total special funds	\$53,150,147	\$23,137,154	\$76,287,301"

Page 2, replace line 17 with:

"Salaries and wages	\$29,141,750	\$7,137,148	\$36,278,898"
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Page 2, replace line 22 with:

"Total from mill and elevator fund	\$52,123,557	\$12,192,341	\$64,315,898"
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Page 2, replace line 28 with:

"Salaries and wages	\$7,434,877	\$310,157	\$7,745,034"
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Page 3, replace line 2 with:

"Total special funds	\$41,007,491	(\$3,487,402)	\$37,520,089"
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Page 3, replace lines 8 through 10 with:

"Grand total general fund	\$21,333,325	\$38,926,990	\$60,260,315
Grand total special funds	<u>187,254,987</u>	<u>7,862,748</u>	<u>195,117,735</u>
Grand total all funds	\$208,588,312	\$46,789,738	\$255,378,050"

Page 3, replace line 17 with:

"Possible litigation	1,000,000	2,500,000"
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Page 3, after line 26, insert:

"Financial center project	0	17,000,000
Core library expansion project	0	13,625,322"

Page 3, remove line 30

Page 4, replace lines 1 and 2 with:

"Total all funds	\$68,060,800	\$38,745,965
Total special fund	<u>51,500,000</u>	17,000,000
Total general fund	\$16,560,800	\$21,745,965"

Page 5, after line 2, insert:

"SECTION 6. APPROPRIATION - TRANSFER - GENERAL FUND TO HOUSING INCENTIVE FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$10,000,000, which the office of management and budget shall transfer to the housing incentive fund for the period beginning with the effective date of this Act and ending June 30, 2017. The funding provided in this section is considered a one-time funding item."

Page 6, line 1, replace "seventy-five" with "fifty"

Page 6, line 3, after "programs" insert "or the sum of \$8,000,000, whichever is less,"

Page 6, after line 5, insert:

"SECTION 13. BANK OF NORTH DAKOTA - MEDICAL PARTNERSHIP IN ASSISTING COMMUNITY EXPANSION PROGRAM. The Bank of North Dakota shall develop a medical partnership in assisting community expansion program to assist in the financing of critical access hospital medical infrastructure projects, for the period beginning with the effective date of this Act and ending June 30, 2017. The Bank shall adopt policies and procedures to implement this program. Notwithstanding section 6-09.14-03, the Bank may originate loans under this program or participate with a lead financial institution. Eligible projects that receive funding for an interest rate buydown under this program are not subject to the community commitment requirement in section 6-09.14-03, the maximum interest rate buydown limitation in subsection 4 of section 6-09.14-04, or the state grantor recipient reporting requirement in section 54-60.1-05."

Page 6, after line 21, insert:

"SECTION 15. CONTINGENT APPROPRIATION - INDUSTRIAL COMMISSION FUNDING. The amount of \$2,225,080 from the general fund and 10 full-time equivalent positions included in subdivision 1 of section 1 of this Act may be spent only if the monthly average drilling rig count exceeds 110 drilling rigs. The industrial commission shall notify the office of management and budget and the legislative council each time one or more full-time equivalent positions are authorized to be hired. For purposes of this section, the "monthly average drilling rig count" means the amount, rounded to the nearest whole drilling rig, calculated by dividing the sum of the daily drilling rig counts for a calendar month by the number of days in the month. Of the \$2,225,080 and the 10 full-time equivalent positions in this section, the industrial commission may spend funding and hire full-time equivalent positions, as follows:

1. \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 110 drilling rigs.
2. In addition to the funding and full-time equivalent positions authorized in subsection 1, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 120 drilling rigs.

3. In addition to the funding and full-time equivalent positions authorized in subsections 1 and 2, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 130 drilling rigs.
4. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 3, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 140 drilling rigs.
5. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 4, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 150 drilling rigs.
6. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 5, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 160 drilling rigs.
7. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 6, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 170 drilling rigs.
8. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 7, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 180 drilling rigs.
9. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 8, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 190 drilling rigs.
10. In addition to the funding and full-time equivalent positions authorized in subsections 1 through 9, \$222,508, of which \$168,105 is from the salaries and wages line item and \$54,403 is from the operating expenses line item, and one full-time equivalent position if the monthly average drilling rig count exceeds 200 drilling rigs.

SECTION 16. A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

North Dakota financial center - Lease rates - Payments in lieu of taxes.

The North Dakota financial center is a building that is owned by the Bank of North Dakota and is adjacent to the building in which the Bank of North Dakota is housed. The Bank of North Dakota shall lease the space in the North Dakota financial center to other state agencies based on market rate lease prices. The Bank of North Dakota shall make payments in lieu of property taxes in the manner and according to the conditions and procedures that would apply if the building were privately owned."

Page 7, line 2, after the period insert "The origination fee assessed to grant recipients may not exceed five percent of the project award."

Page 10, replace lines 8 through 13 with:

"SECTION 22. HOUSING FINANCE AGENCY - FLOOD-IMPACTED HOUSING ASSISTANCE - EXEMPTION. The amount appropriated for flood-impacted housing assistance in section 4 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 23. INDUSTRIAL COMMISSION - POSSIBLE FEDERAL AGENCY LITIGATION - EXEMPTION. The amount appropriated for possible federal agency litigation in subdivision 1 of section 1 of chapter 45 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 24. INDUSTRIAL COMMISSION - CORE LIBRARY EXPANSION PROJECT - EXEMPTION - LEGISLATIVE MANAGEMENT REPORT. The capital assets line item in subdivision 1 of section 1 of this Act includes \$13,625,322 from the general fund for the purpose of expanding the core library. The funding appropriated for this purpose is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2017, and ending June 30, 2019. The industrial commission shall report to the legislative management and to the appropriations committees of the sixty-fifth legislative assembly on the use of the funding provided for the core library project, including the amounts spent to date and the amounts anticipated to be continued into the 2017-19 biennium, and on the progress of the project.

SECTION 25. BANK OF NORTH DAKOTA - NORTH DAKOTA FINANCIAL CENTER - EXEMPTION - LEGISLATIVE MANAGEMENT REPORT. The capital assets line item in subdivision 2 of section 1 of this Act includes \$17,000,000 from the assets of the Bank of North Dakota for the purpose of constructing a North Dakota financial center on a site adjacent to the existing building in which the Bank is located. The funding appropriated for this purpose is not subject to section 54-44.1-11 and any unexpended funds are available during the biennium beginning July 1, 2017, and ending June 30, 2019. The Bank of North Dakota shall report to the legislative management and to the appropriations committees of the sixty-fifth legislative assembly on the use of the funding provided for the North Dakota financial center, including the amounts spent to date and the amounts anticipated to be continued into the 2017-19 biennium, and on the progress of the project.

SECTION 26. EMERGENCY. The amount of \$13,625,322 from the general fund in the capital assets line item in subdivision 1 of section 1 of this Act for the core library expansion project and sections 6 and 13 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1014 - Summary of Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Industrial Commission				
Total all funds	\$62,307,117	\$48,588,205	\$18,666,557	\$67,254,762
Less estimated income	40,973,792	16,999,407	(4,960)	16,994,447
General fund	\$21,333,325	\$31,588,798	\$18,671,517	\$50,260,315
Bank of North Dakota				
Total all funds	\$53,150,147	\$59,425,831	\$16,861,470	\$76,287,301
Less estimated income	53,150,147	59,425,831	16,861,470	76,287,301
General fund	\$0	\$0	\$0	\$0
Housing Finance Agency				
Total all funds	\$41,007,491	\$37,553,592	\$9,966,497	\$47,520,089
Less estimated income	41,007,491	37,553,592	(33,503)	37,520,089
General fund	\$0	\$0	\$10,000,000	\$10,000,000
Mill and Elevator				
Total all funds	\$52,123,557	\$64,016,571	\$299,327	\$64,315,898
Less estimated income	52,123,557	64,016,571	299,327	64,315,898
General fund	\$0	\$0	\$0	\$0

Bill total				
Total all funds	\$208,588,312	\$209,584,199	\$45,793,851	\$255,378,050
Less estimated income	187,254,987	177,995,401	17,122,334	195,117,735
General fund	\$21,333,325	\$31,588,798	\$28,671,517	\$60,260,315

House Bill No. 1014 - Industrial Commission - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$17,873,876	\$22,218,954	\$1,957,427	\$24,176,381
Operating expenses	4,775,576	6,328,422	3,042,308	9,370,730
Capital assets			13,666,822	13,666,822
Grants	19,500,000	5,000,000		5,000,000
Grants - bond payments	19,809,969	15,040,829		15,040,829
Accrued leave payments	347,696			
Total all funds	\$62,307,117	\$48,588,205	\$18,666,557	\$67,254,762
Less estimated income	40,973,792	16,999,407	(4,960)	16,994,447
General fund	\$21,333,325	\$31,588,798	\$18,671,517	\$50,260,315
FTE	98.75	114.75	12.00	126.75

Department No. 405 - Industrial Commission - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for FTE Positions ²	Adds Funding for Contingent FTE Positions ³	Adds Funding for Increased Core Library Operating Expenses ⁴	Adds One-Time Funding for Possible Litigation ⁵	Adds One-Time Funding for Core Library Expansion Project ⁶
Salaries and wages	(\$84,323)	\$360,700	\$1,681,050			
Operating expenses		19,278	544,030	20,500	2,500,000	
Capital assets						13,625,322
Grants						
Grants - bond payments						
Accrued leave payments						
Total all funds	(\$84,323)	\$379,978	\$2,225,080	\$20,500	\$2,500,000	\$13,625,322
Less estimated income	(4,960)	0	0	0	0	0
General fund	(\$79,363)	\$379,978	\$2,225,080	\$20,500	\$2,500,000	\$13,625,322
FTE	0.00	2.00	10.00	0.00	0.00	0.00

	Corrects Funding for ATV's and Trailers ⁷	Total Senate Changes
Salaries and wages		\$1,957,427
Operating expenses	(41,500)	3,042,308
Capital assets	41,500	13,666,822
Grants		
Grants - bond payments		
Accrued leave payments		
Total all funds	\$0	\$18,666,557
Less estimated income	0	(4,960)
General fund	\$0	\$18,671,517
FTE	0.00	12.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² The following funding from the general fund and FTE positions are added:

	FTE Positions	Salaries and Wages	Operating Expenses	Total General Fund
Pipeline regulatory supervisor position	1.00	\$230,700	\$9,639	\$240,339
Administrative assistant position	1.00	130,000	9,639	139,639
Total	2.00	\$360,700	\$19,278	\$379,978

Reengrossed House Bill No. 1358 provides for a pipeline regulatory program. Of the funding from the general fund and the FTE positions included in this amendment, the Industrial

Commission anticipates using the following for the implementation of a pipeline regulatory program:

	FTE Positions	Total General Fund
Engineering technician position (Included in House version)	4.00	\$864,683
Reclamation specialist position (Included in House version)	1.00	230,911
Pipeline engineering technician position (Included in House version)	1.00	162,018
Pipeline regulatory supervisor position (Added by Senate above)	1.00	240,339
Administrative assistant (Added by Senate above)	1.00	139,639
Total	8.00	\$1,637,590

³ Funding is added for 10 petroleum engineering contingency FTE positions. One position is added for every 10 drilling rigs when the monthly average drilling rig count exceeds 110 drilling rigs as identified in Section 14 of the bill. Each position includes \$168,105 for salaries and wages and \$54,403 for operating expenses for total funding of \$222,508.

⁴ This amendment adds funding for increased operating expenses related to the core library expansion project.

⁵ One-time funding is added for possible litigation costs related to hydraulic fracturing and other regulatory disputes.

⁶ One-time funding is added for a core library expansion project.

⁷ This amendment changes the funding for ATV's and trailers from the operating expenses line item to the capital assets line item.

This amendment also:

- Adds a section to identify the criteria for the 10 petroleum engineering contingency FTE positions;
- Provides an exemption for 2013-15 biennium litigation funding from the general fund; and
- Provides an emergency clause for the core library expansion project funding, requires the Industrial Commission to report to the Legislative Management on the progress of the project, and provides carryover authority for the funding into the 2017-19 biennium.

House Bill No. 1014 - Bank of North Dakota - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Capital assets	\$745,000	\$745,000	\$17,000,000	\$17,745,000
Bank of North Dakota operations	51,523,916	58,680,831	(138,530)	58,542,301
Accrued leave payments	881,231			
Total all funds	\$53,150,147	\$59,425,831	\$16,861,470	\$76,287,301
Less estimated income	53,150,147	59,425,831	16,861,470	76,287,301
General fund	\$0	\$0	\$0	\$0
FTE	179.50	181.50	0.00	181.50

Department No. 471 - Bank of North Dakota - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds One-Time Funding For Financial Center Project ²	Total Senate Changes
Capital assets		\$17,000,000	\$17,000,000

Bank of North Dakota operations	(138,530)		(138,530)
Accrued leave payments			
Total all funds	(\$138,530)	\$17,000,000	\$16,861,470
Less estimated income	(138,530)	17,000,000	16,861,470
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² One-time funding from the Bank of North Dakota's assets is added for a financial center construction project.

This amendment also:

- Provides for a medical partnership in assisting community expansion program to provide interest rate buydowns for medical infrastructure loans for the 2015-17 biennium and provides an emergency clause for the program.
- Requires the Bank of North Dakota to make payments in lieu of property taxes on a financial center building constructed on the Bank's property.
- Provides an exemption for funding for the construction of a financial center and requires the Industrial Commission to report to the Legislative Management on the progress of the project.

House Bill No. 1014 - Housing Finance Agency - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$7,434,877	\$7,778,537	(\$33,503)	\$7,745,034
Operating expenses	3,791,758	3,744,275		3,744,275
Grants	29,533,050	25,930,780		25,930,780
HFA contingencies	100,000	100,000		100,000
Accrued leave payments	147,806			
Housing incentive fund			10,000,000	10,000,000
Total all funds	\$41,007,491	\$37,553,592	\$9,966,497	\$47,520,089
Less estimated income	41,007,491	37,553,592	(33,503)	37,520,089
General fund	\$0	\$0	\$10,000,000	\$10,000,000
FTE	46.00	46.00	0.00	46.00

Department No. 473 - Housing Finance Agency - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	General Fund Transfer to Housing Incentive Fund ²	Total Senate Changes
Salaries and wages	(\$33,503)		(\$33,503)
Operating expenses			
Grants			
HFA contingencies			
Accrued leave payments			
Housing incentive fund		10,000,000	10,000,000
Total all funds	(\$33,503)	\$10,000,000	\$9,966,497
Less estimated income	(33,503)	0	(33,503)
General fund	\$0	\$10,000,000	\$10,000,000
FTE	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² This amendment adds a section to provide for a transfer of \$10 million from the general fund to the housing incentive fund and provides an emergency clause for the transfer.

This amendment provides an exemption for 2013-15 biennium flood-impacted housing assistance funding from the state disaster relief fund.

House Bill No. 1014 - Mill and Elevator - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$29,141,750	\$35,979,571	\$299,327	\$36,278,898
Operating expenses	21,796,000	27,327,000		27,327,000
Contingencies	400,000	500,000		500,000
Agriculture promotion	210,000	210,000		210,000
Accrued leave payments	575,807			
Total all funds	\$52,123,557	\$64,016,571	\$299,327	\$64,315,898
Less estimated income	52,123,557	64,016,571	299,327	64,315,898
General fund	\$0	\$0	\$0	\$0
FTE	135.00	147.00	0.00	147.00

Department No. 475 - Mill and Elevator - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Market Equity ²	Total Senate Changes
Salaries and wages	(\$110,673)	\$410,000	\$299,327
Operating expenses			
Contingencies			
Agriculture promotion			
Accrued leave payments			
Total all funds	(\$110,673)	\$410,000	\$299,327
Less estimated income	(110,673)	410,000	299,327
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added for market equity adjustments.

This amendment also provides for a transfer of 50 percent of Mill and Elevator profits to the general fund up to \$8 million for the 2015-17 biennium. The House version provided for a transfer of 75 percent of the Mill's profits without any limitation for the 2015-17 biennium.

REPORT OF STANDING COMMITTEE

HB 1019, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1019 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Salaries and wages \$4,669,943 \$642,763 \$5,312,706"

Page 1, replace line 15 with:

"Grants 31,063,698 2,579,564 33,643,262"

Page 1, replace lines 18 and 19 with:

"Workforce training 3,000,000 500,000 3,500,000
Total all funds \$41,680,711 \$3,435,850 \$45,116,561"

Page 1, replace line 21 with:

"Total general fund appropriation \$31,392,916 \$4,025,758 \$35,418,674"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Dept. of Career and Technical Education - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$4,669,943	\$5,123,830	\$188,876	\$5,312,706
Operating expenses	1,253,339	1,253,339		1,253,339
Grants	31,063,698	31,143,262	2,500,000	33,643,262
Grants - postsecondary	847,452	707,452		707,452
Adult farm management	749,802	699,802		699,802
Workforce training	3,000,000	3,000,000	500,000	3,500,000
Accrued leave payments	96,477			
Total all funds	\$41,680,711	\$41,927,685	\$3,188,876	\$45,116,561
Less estimated income	10,287,795	9,697,887	0	9,697,887
General fund	\$31,392,916	\$32,229,798	\$3,188,876	\$35,418,674
FTE	27.00	26.50	0.00	26.50

Department No. 270 - Dept. of Career and Technical Education - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Targeted Market Equity ²	Adds Funding to Increase Reimbursement Rates ³	Adds Funding for New and Expanded Programs ⁴	Adds Funding for Workforce Training ⁵	Total Senate Changes
Salaries and wages	(\$20,326)	\$209,202				\$188,876
Operating expenses						
Grants			1,800,000	700,000		2,500,000
Grants - postsecondary						
Adult farm management						
Workforce training					500,000	500,000
Accrued leave payments						
Total all funds	(\$20,326)	\$209,202	\$1,800,000	\$700,000	\$500,000	\$3,188,876
Less estimated income	0	0	0	0	0	0
General fund	(\$20,326)	\$209,202	\$1,800,000	\$700,000	\$500,000	\$3,188,876
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is provided for targeted equity salary funding.

³ Funding is added to increase reimbursement rates for secondary and postsecondary career and technical education programs.

⁴ Funding is added for new and expanded programs to increase course offerings.

⁵ Funding is added to workforce training for inflationary adjustments and new program development.

REPORT OF STANDING COMMITTEE

HB 1023, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1023 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 17 with:

"Racing commission	\$551,862	\$21,872	\$573,734
Accrued leave payments	<u>3,789</u>	<u>(3,789)</u>	<u>0</u>
Total all funds	\$555,651	\$18,083	\$573,734
Less estimated income	<u>166,407</u>	<u>(7,677)</u>	<u>158,730</u>
Total general fund	\$389,244	\$25,760	\$415,004
Full-time equivalent positions	2.00	0.00	2.00"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1023 - Racing Commission - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Racing commission	\$551,862	\$575,238	(\$1,504)	\$573,734
Accrued leave payments	<u>3,789</u>			
Total all funds	\$555,651	\$575,238	(\$1,504)	\$573,734
Less estimated income	<u>166,407</u>	<u>158,730</u>	0	<u>158,730</u>
General fund	\$389,244	\$416,508	(\$1,504)	\$415,004
FTE	2.00	2.00	0.00	2.00

Department No. 670 - Racing Commission - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Total Senate Changes
Racing commission	(\$1,504)	(\$1,504)
Accrued leave payments		
Total all funds	(\$1,504)	(\$1,504)
Less estimated income	<u>0</u>	<u>0</u>
General fund	(\$1,504)	(\$1,504)
FTE	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

REPORT OF STANDING COMMITTEE

HB 1034: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1049, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1049, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the Senate as printed on pages 1053 through 1055 of the Senate Journal, Engrossed House Bill No. 1049 is amended as follows:

Page 1, line 3, remove "subsection 2 of section 43-45-01 and subsection 2 of"

Page 1, line 3, replace "45-45-04" with "43-45-04"

Page 1, line 4, replace "the transfer of the authority" with "duties"

Page 1, line 5, remove "to the department of human services; to repeal sections 43-45-02, 43-45-03, and"

Page 1, remove line 6

Page 1, line 7, remove "examiners"

Page 1, line 7, after the first semicolon insert "to provide for a department of commerce and board of addiction counseling examiners study; to provide for reports to the legislative management;"

Page 1, remove lines 10 through 23

Page 2, replace lines 1 through 6 with:

"SECTION 1. AMENDMENT. Section 43-45-04 of the North Dakota Century Code is amended and reenacted as follows:

43-45-04. Board power, duties, and authority.

1. The board shall:
 - a. Administer and enforce the provisions of this chapter.
 - b. Evaluate the qualifications of applicants for a license to practice addiction counseling and issue licenses under this chapter.
 - c. Establish ethical standards of practice for persons holding a license to practice addiction counseling in this state.
 - d. Establish continuing education requirements and approve providers of continuing education.
 - e. Approve clinical training programs.
 - f. Register clinical trainees.
 - g. Register interns.
 - h. Register clinical supervisors.
 - i. Register licensees for private practice.
 - j. Approve and administer examinations.
 - k. Periodically evaluate initial licensure coursework requirements and clinical training requirements to ensure the requirements are up to date and do not serve as an undue barrier to licensure.
2. The board may:
 - a. Adopt rules under chapter 28-32 to implement this chapter.
 - b. Issue subpoenas, examine witnesses, and administer oaths, and may investigate allegations of practices violating the provisions of this chapter.
 - c. Recommend prosecution for violations of this chapter to the appropriate state's attorney.

- d. Recommend that the attorney general bring civil actions to seek injunctive and other relief against violations of this chapter.
- e. Collect fees for examinations, initial licensures, renewal of licenses, late renewals, private practice registrations, renewal of private practice registrations, approval of continuing education providers, and administrative fees. The fees must be established by rule in amounts necessary to compensate the board for administration and enforcement of this chapter.
- f. Employ persons to assist the board in carrying out its duties under this chapter."

Page 2, line 12, replace "an" with "a paid or unpaid"

Page 2, replace lines 27 and 28 with:

"SECTION 3. DEPARTMENT OF COMMERCE STUDY - LEGISLATIVE MANAGEMENT REPORT. During the 2015-16 interim, the department of commerce shall work with the North Dakota university system to conduct a study on behavioral health internships. The study shall include ways to help host organizations, students, and other stakeholders facilitate behavioral health internships, the feasibility of giving tax benefits to host organizations for participation in behavioral health internships, and the inclusion of the internship as part of coursework. Before July 1, 2016, the department of commerce shall report its findings and recommendations, together with any proposed legislation necessary to implement the recommendations, to the legislative management.

SECTION 4. BOARD OF ADDICTION COUNSELING EXAMINERS - LEGISLATIVE MANAGEMENT REPORT. The board of addiction counseling examiners shall evaluate the initial licensure coursework requirements and clinical training requirements noted in subsection 1 of section 43-45-04. Before July 1, 2016, the board of addiction counseling examiners shall report on the status of the periodic evaluation of those requirements to the legislative management."

Page 2, line 31, replace "\$150,000" with "\$500,000"

Page 3, line 3, replace "3" with "2"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1443, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1443 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second semicolon insert "and"

Page 1, line 3, remove "; to provide an effective"

Page 1, line 4, remove "date; and to provide an expiration date"

Page 1, line 8, remove "**(Effective through June 30, 2017)**"

Page 1, line 15, replace "one and one-half" with "two"

Page 1, line 22, remove "new construction and"

Page 1, line 23, remove "renovation of critical access hospitals;"

Page 2, line 2, remove ", not to"

Page 2, remove lines 3 and 4

Page 2, line 5, remove "issued for critical access hospitals may not exceed thirty-five million dollars"

Page 2, remove lines 24 through 31

Page 3, remove lines 1 through 30

Page 4, remove lines 1 through 3

Page 4, line 6, remove "by the state treasurer under subsection 1 or 4 of section 1 or by the department of"

Page 4, line 7, remove "transportation"

Page 4, line 7, remove "subsection 1 of section 2 of"

Page 4, line 8, after the comma insert "or is anticipated to receive funds distributed from the oil and gas impact grant fund or under section 57-51-15,"

Page 4, line 10, remove "However, this section does not apply to loans for critical access hospitals."

Page 4, remove lines 11 through 15

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Changes the interest rate on loans from 1.5 to 2 percent, which is the same as the bill as introduced, but .5 percent more than the House version.
- Removes critical access hospitals from eligible projects, which was added by the House.
- Removes telecommunications conduit infrastructure from eligible projects effective July 1, 2017, which was added by the House version.
- Removes the limitations on loan funding for each political subdivision, which were added by the House version.
- Removes a section of legislative intent added by the House related to critical access hospital loan limitations.
- Changes the eligible borrows by precluding political subdivisions that received funds under Senate Bill No. 2103 or are anticipated to receive funds from the oil and gas impact grant fund or the oil and gas gross production tax formula from receiving a loan. The House version provided that certain political subdivisions that received funds under Senate Bill No. 2103 are ineligible.

REPORT OF CONFERENCE COMMITTEE

SB 2327: Your conference committee (Sens. Luick, Casper, Nelson and Reps. Maragos, M. Johnson, P. Anderson) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 1067 and place SB 2327 on the Seventh order.

SB 2327 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2334, as engrossed: Your conference committee (Sens. Anderson, J. Lee, Warner and Reps. Porter, Rich S. Becker, Mooney) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1033, adopt amendments as follows, and place SB 2334 on the Seventh order:

That the House recede from its amendments as printed on page 1033 of the Senate Journal

and page 1152 of the House Journal and that Engrossed Senate Bill No. 2334 be amended as follows:

Page 2, line 10, overstrike "physician" and insert immediately thereafter "licensed clinician"

Page 2, line 14, overstrike "physician" and insert immediately thereafter "licensed clinician"

Page 2, line 23, after the second underscored comma insert "naturopath."

Renumber accordingly

Engrossed SB 2334 was placed on the Seventh order of business on the calendar.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Governor Ed Schafer

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your **Committee on Correction and Revision of the Journal (Sen. Poolman, Chairman)** has carefully examined the Journal of the Sixty-first, Sixty-second, and Sixty-third Days and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 1141, line 32, replace "Klein" with "Kiefert"

Page 1141, line 38, replace "Karls; B. Koppelman; Delmore" with "Delmore; Karls; K. Koppelman"

Page 1141, line 46, delete "HB 1117"

Page 1141, after line 47, insert:

"MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently failed to pass: HB 1117"

Page 1142, line 16, replace "Olson" with "Owens"

Page 1197, line 9, replace "Kretschmar" with "K. Koppelman"

Page 1204, line 21, after "993" insert "-994"

Page 1204, line 24, replace "Delmore, Karls, K. Koppelman" with "Karls, K. Koppelman, Delmore"

Page 1205, line 8, replace "Muscha" with "Hunskor"

Page 1218, line 5, replace "Pollert" with "Porter"

Page 1219, after line 3, insert:

"MOTION

SEN. KLEIN MOVED that Sen. Casper replace Sen. Hogue on the Conference Committee on SB 2327, which motion prevailed on a voice vote."

Page 1231, replace lines 27-28 with:

"A BILL for an Act to provide for a legislative management study regarding the provision of transportation services to veterans and the impact on transportation service providers."

Page 1231, after line 21 insert:

"REPORT OF CONFERENCE COMMITTEE

HB 1469, as engrossed: Your conference committee (Sens. Casper, Rust, Sinner and Reps. Sukut, Paur, Hanson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1131-1132 and place HB 1469 on the Seventh order.

Engrossed HB 1469 was placed on the Seventh order of business on the calendar."

SEN. POOLMAN MOVED that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1012, as engrossed: SEN. G. LEE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1012: A BILL for an Act to provide appropriations for defraying the expenses of the department of transportation; to provide an appropriation to the state treasurer for allocations to townships in non-oil-producing counties; to provide for transfers; to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to department of transportation motor vehicle branch offices; to provide legislative intent; to provide for legislative management studies; to provide exemptions; and to provide for application.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1012, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1014, as engrossed: SEN. CARLISLE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1014: A BILL for an Act to provide an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission; to provide a continuing appropriation; to provide a contingent appropriation; to authorize transfers; to create and enact a new section to chapter 6-09; to amend and reenact sections 54-17-40, 54-17-41, 54-17.5-02, and 57-38-01.32 of the North Dakota Century Code and section 22 of chapter 579 of the 2011 Session Laws, relating to the housing incentive fund credits, the lignite research council, and the use of the flex PACE program; to provide exemptions; to provide legislative intent; to provide for reports to legislative management; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1014, as amended, passed and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1011, as engrossed: SEN. WANZEK (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1011: A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; to provide for legislative intent; and to provide for expense payments to highway patrol officers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1011, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1019, as engrossed: SEN. ERBELE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1019: A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1019, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1023, as engrossed: SEN. SORVAAG (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1023: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota racing commission.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 38 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Nelson; Oban; Poolman; Robinson; Rust; Schneider; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Anderson; Cook; Larsen; Murphy; O'Connell; Schaible; Sinner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1023, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1049, as reengrossed and amended: SEN. J. LEE (Appropriations Committee) MOVED that the amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1049: A BILL for an Act to create and enact a new section to chapter 43-45 of the North Dakota Century Code, relating to loans for certain behavioral health professions; to amend and reenact section 43-45-04 of the North Dakota Century Code, relating to duties of the board of addiction counseling examiners; to provide for a department of commerce and board of addiction counseling examiners study; to provide for reports to the legislative management; to provide an appropriation; to provide a continuing appropriation; and to provide for a transfer.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

NAYS: Bowman; Kilzer

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed HB 1049, as amended, passed.

CONSIDERATION OF AMENDMENTS

HB 1443, as engrossed: SEN. CARLISLE (Appropriations Committee) MOVED that the

amendments be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed on a voice vote.

SECOND READING OF HOUSE BILL

HB 1443: A BILL for an Act to create and enact section 6-09-49 of the North Dakota Century Code, relating to creation of the infrastructure revolving loan fund; to provide a statement of legislative intent; to provide for transfers; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed HB 1443, as amended, passed.

SECOND READING OF HOUSE BILL

HB 1393: A BILL for an Act to provide an appropriation for a science, technology, engineering, and mathematics advancement initiative.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

HB 1393 passed.

SECOND READING OF HOUSE BILL

HB 1034: A BILL for an Act to amend and reenact section 54-44.1-12 of the North Dakota Century Code, relating to the allotment of appropriations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of **DO PASS**, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

HB 1034 passed.

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. KLEIN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Engrossed HB 1106, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed HB 1106: Sens. Armstrong, Hogue, Nelson

CONSIDERATION OF MESSAGES FROM THE HOUSE

SEN. KLEIN MOVED that the Senate do not concur in the House amendments to Engrossed SB 2006 as printed on SJ pages 1232-1234, in the House amendments to Engrossed SB 2014 as printed on SJ pages 1216-1217, in the House amendments to Engrossed SB 2027 as printed on SJ pages 1234-1235, and in the House amendments to Engrossed SB 2150 as printed on SJ pages 1235-1236 and that a conference committee be appointed to meet with a like committee from the House on each of these measures, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

THE PRESIDENT APPOINTED as a Conference Committee on:

Engrossed SB 2006: Sens. Wanzek, Krebsbach, Heckaman.

Engrossed SB 2014: Sens. Wanzek, Sorvaag, Heckaman.

Engrossed SB 2027: Sens. Armstrong, Casper, Grabinger.

Engrossed SB 2150: Sens. Luick, Hogue, Nelson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. LEE MOVED that the Senate do concur in the House amendments to Engrossed SB 2320 as printed on SJ pages 1236-1237, which motion prevailed on a voice vote.

Engrossed SB 2320 as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2320: A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota Century Code, relating to the creation of a medication therapy management program for medicaid-eligible individuals; to provide for a department of human services report to the appropriations committees; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed SB 2320 passed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to Engrossed SB 2007 as printed on SJ pages 1237-1238, which motion prevailed on a voice vote.

Engrossed SB 2007 as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2007: A BILL for an Act to provide an appropriation for defraying the expenses of the department of labor and human rights; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed SB 2007 passed and the emergency clause was declared carried.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LAFFEN MOVED that the conference committee report on Engrossed SB 2120 as printed on SJ page 1205 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2120, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2120: A BILL for an Act to amend and reenact subsection 1 of section 49-22-22 of the North Dakota Century Code, relating to energy conversion and transmission facility siting application fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed SB 2120 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. LUICK MOVED that the conference committee report on SB 2327 as printed on SJ page 1350 be adopted, which motion prevailed on a voice vote.

SB 2327, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2327: A BILL for an Act to create and enact a new section to chapter 16.1-02 of the North Dakota Century Code, relating to the reporting of incarcerated felons to the secretary of state.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Engrossed SB 2327 passed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. ANDERSON MOVED that the conference committee report on Engrossed SB 2334 as printed on SJ page 1033 be adopted, which motion prevailed on a voice vote.

Engrossed SB 2334, as amended, was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2334: A BILL for an Act to create and enact sections 25-17-02.1 and 25-17-07 of the North Dakota Century Code, relating to the state's newborn screening program; to amend and reenact sections 23-01-03.1, 25-17-00.1, 25-17-01, 25-17-03, 25-17-05, and 25-17-06 of the North Dakota Century Code, relating to the state's newborn screening program; and to repeal section 25-17-04 of the North Dakota Century Code, relating to the state's newborn screening program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson; Armstrong; Axness; Bekkedahl; Bowman; Burckhard; Campbell; Carlisle; Casper; Cook; Davison; Dever; Dotzenrod; Erbele; Flakoll; Grabinger; Heckaman; Hogue; Holmberg; Kilzer; Klein; Krebsbach; Larsen; Lee, G.; Lee, J.; Luick; Marcellais; Mathern; Miller; Murphy; Nelson; O'Connell; Oban; Poolman; Robinson; Rust; Schaible; Schneider; Sinner; Sorvaag; Triplett; Unruh; Wanzek; Wardner; Warner

ABSENT AND NOT VOTING: Laffen; Oehlke

Reengrossed SB 2334 passed.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has passed, unchanged: HB 1034, HB 1393.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1054.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1011, HB 1012, HB 1019, HB 1023, HB 1049, HB 1443.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1014.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1390.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has amended and subsequently passed: SB 2021, SB 2046, SB 2205, SB 2318, SB 2340.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2021

Page 1, replace lines 10 and 11 with:

"Workforce safety and insurance operations" \$60,909,457 \$7,955,713 \$68,865,170

Page 1, replace line 14 with:

"Total special funds \$63,322,422 \$5,542,748 \$68,865,170"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2021 - Workforce Safety and Insurance - House Action**

	Base Budget	Senate Version	House Changes	House Version
WSI operations	\$60,909,457	\$69,056,397	(\$191,227)	\$68,865,170
Litigation contingency	750,000			
Accrued leave payments	<u>1,662,965</u>			
Total all funds	\$63,322,422	\$69,056,397	(\$191,227)	\$68,865,170
Less estimated income	<u>63,322,422</u>	<u>69,056,397</u>	<u>(191,227)</u>	<u>68,865,170</u>
General fund	\$0	\$0	\$0	\$0
FTE	250.14	260.14	0.00	260.14

Department No. 485 - Workforce Safety and Insurance - Detail of House Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Total House Changes
WSI operations	(\$191,227)	(\$191,227)
Litigation contingency		
Accrued leave payments		
Total all funds	(\$191,227)	(\$191,227)
Less estimated income	<u>(191,227)</u>	<u>(191,227)</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2046

Page 1, line 2, remove the semicolon

Page 1, line 3, remove "and to provide an appropriation"

Page 1, remove lines 12 through 18

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2205

Page 1, line 1, remove ", 43-28.1-02"

Page 1, line 1, remove the second "and"

Page 1, line 2, after "43-28.1-04" insert ", 43-28.1-05, and 43-28.1-09"

Page 1, line 3, after "43-28.1-01.1" insert ", 43-28.1-02,"

Page 1, line 9, after the second bold dash insert "**Cities with defined need -**"

Page 1, line 11, overstrike "to communities" and insert immediately thereafter "in cities"

Page 1, line 11, after "state" insert "which the state health council identifies as having a defined need for dental services"

Page 1, line 11, remove "Subject to the

Page 1, line 12, replace "availability of funding, the" with "The"

Page 1, line 13, after the first "clinic" insert ", a practice with a focus on an underserved population."

Page 1, line 15, overstrike "four-year" and insert immediately thereafter "five-year"

Page 1, line 15, overstrike "eighty" and insert immediately thereafter "one hundred"

Page 1, remove lines 18 through 23

Page 2, remove lines 1 through 18

Page 2, line 21, overstrike "**Dentist selection**" and insert immediately thereafter "**Cities - Defined need for dental services - Selection**"

Page 2, line 21, overstrike " - **Eligibility for loan repayment**"

Page 2, line 22, overstrike "In establishing the criteria regarding a dentist's eligibility for loan repayment funds"

Page 2, overstrike lines 23 and 24

Page 2, line 25, overstrike "which such services are needed in a selected"

Page 2, line 25, remove "site."

Page 2, line 26, overstrike "b. The dentist's commitment to serve in a"

Page 2, line 26, remove "site"

Page 2, line 26, overstrike "that is in need of a dentist."

Page 2, line 27, overstrike "c. The compatibility of the dentist with a selected"

Page 2, line 27, remove "site"

Page 2, line 27, overstrike the period

Page 2, overstrike line 28

Page 2, line 29, remove "site"

Page 2, line 29, overstrike the period

Page 2, overstrike lines 30 and 31

Page 3, line 1, overstrike "2."

Page 3, line 10, overstrike "Dentists selected"

Page 3, line 10, remove "must be licensed to practice dentistry in this state and"

Page 3, line 10, overstrike "shall contract"

Page 3, overstrike line 11

Page 3, line 12, overstrike "communities"

Page 3, line 12, remove "sites"

Page 3, line 12, overstrike the period

Page 3, line 13, overstrike "4."

Page 3, line 13, remove "3."

Page 3, line 13, overstrike "For the purposes of a dentist selected for loan payment who practices within fifteen"

Page 3, overstrike lines 14 through 20

Page 3, overstrike line 21 and insert immediately thereafter "The health council shall establish criteria to be used in selecting cities that have a defined need for dental services, thereby allowing for participation in the loan repayment program. The criteria must include consideration of:

- a. The number of dentists already providing dental services in the city;
and
- b. Access to dental services in the city and the surrounding area.
2. The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria."

Page 2, line 24, remove "**Site**"

Page 3, line 24, overstrike "**selection criteria**" and insert immediately thereafter "**Cities - Eligibility for participation - Priority**"

Page 3, line 25, overstrike "The state health council shall apply the following criteria in selecting a community"

Page 3, line 25, remove "site"

Page 3, overstrike lines 26 through 31

Page 4, line 1, overstrike "must be given to dentists who commit to satellite to underserved areas"

Page 4, line 1, remove ", then to"

Page 4, line 2, remove "dentists who practice at a public health clinic or nonprofit clinic."

Page 4, line 2, overstrike "and then"

Page 4, line 2, remove "priority"

Page 4, line 3, remove "is given"

Page 4, line 3, overstrike "to dental specialists in cities with an identified need for a specialist."

Page 4, overstrike lines 4 through 9

Page 4, line 10, overstrike "2. The state health council shall give priority for participation to a community"

Page 4, line 10, remove "site"

Page 4, line 10, overstrike "that"

Page 4, overstrike line 11

Page 4, line 12, overstrike "specialty"

Page 4, line 12, remove "or who is willing to serve in a public health clinic or nonprofit clinic"

page 4, line 12, overstrike the period

Page 4, overstrike lines 13 and 14 and insert immediately thereafter "In selecting cities for participation in the loan repayment program, the health council shall give priority, in descending order, to those cities that meet the selection criteria and:

- a. Have fewer than fifteen thousand residents;
- b. (1) Have at least fifteen thousand residents, but fewer than thirty thousand residents; and
(2) Do not belong to a metropolitan statistical area; or
- c. Have at least thirty thousand residents.
2. In the case of a dentist who will provide dental services in city that has a defined need for dental services and in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic, the state health council shall consider that dentist at the same priority level as under subdivision a of subsection 1.

SECTION 4. AMENDMENT. Section 43-28.1-05 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-05. Eligible loans.

The state health council may provide for loan repayment funds to a dentist who has received an education loan. The council may not provide funds for the repayment of any loan that is in default at the time of the application. The amount of repayment must be related to the dentist's outstanding education loans. A dentist is eligible to receive loan repayment funds in an amount equal to the outstanding balance of the dentist's education loans with applicable interest, or eightyone hundred thousand dollars, whichever is less. Loan repayment funds may not be used to satisfy other service obligations under similar programs.

SECTION 5. AMENDMENT. Section 43-28.1-09 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-09. Gifts, grants, and donations - Continuing appropriation.

The state health council may accept any conditional or unconditional gift, grant, or donation for the purpose of providing funds for the repayment of dentists' educational loans. If any entity desires to provide funds to the council to allow an expansion of the program beyond the ~~three~~ dentists contemplated by this chapter, the entity shall commit to fund fully the expansion for a period of ~~four~~five years. The council may contract with any public or private entity and may expend any moneys available to the council to obtain matching funds for the purposes of this chapter. All money received as gifts, grants, or donations under this section is appropriated as a continuing appropriation to the state health council for the purpose of providing funds for the repayment of additional dentists' educational loans."

Page 4, line 15, after "43-28.1-01.1" insert ", 43-28.1-02,"

Page 4, line 17, after "43-28.1-01.1" insert ", 43-28.1-02,"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2318

Page 2, line 28, after the period insert "The exemption provided by this section may not be interpreted to apply to tangible personal property incorporated as a component part of a carbon dioxide pipeline but this restriction does not affect eligibility of such a pipeline for the exemption under section 57-06-17.1."

Page 3, line 6, after the period insert "The legislative management shall secure assistance from the energy and environmental research center to analyze potential future usage of carbon dioxide in oil recovery operations in the Bakken and Three Forks formations, the potential production and environmental benefits of that usage for energy industries in this state, the economic conditions in which that usage is feasible for oil producers, and the estimated fiscal effect of that usage for the state and political subdivisions."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2340

Page 1, line 4, after "57-38-01.33" insert "and subdivision r of subsection 7 of section 57-38-30.3"

Page 1, line 6, remove "and"

Page 1, line 6, after "date" insert "; and to provide an expiration date"

Page 1, line 14, remove the overstrike over "~~(Effective for the first three taxable years beginning after December 31,~~"

Page 1, line 15, after "~~2012~~" insert "2014"

Page 1, line 15, remove the overstrike over the closing parentheses

Page 2, line 16, after the period insert "The maximum credit that may be claimed by a taxpayer under this section for a taxable year is ten thousand dollars."

Page 2, line 22, overstrike "two"

Page 2, line 23, overstrike "million" and insert immediately thereafter "five hundred thousand"

Page 2, line 24, after "purchase" insert "However, if the maximum amount of allowed credits are not claimed in any calendar year, any remaining unclaimed credits may be carried forward and made available in the next succeeding calendar year."

Page 2, line 25, replace "two million dollars" with "the amount available"

Page 2, line 26, remove "allowable amount of"

Page 3, line 3, after the period insert "The maximum credit that may be claimed by the entity under this subsection for a taxable year is ten thousand dollars."

Page 3, after line 24, insert:

"SECTION 3. AMENDMENT. Subdivision r of subsection 7 of section 57-38-30.3 of the North Dakota Century Code is amended and reenacted as follows:

- r. Automating manufacturing processes tax credit under section 57-38-01.33 (effective for the first ~~three~~five taxable years beginning after December 31, 2012)."

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency

clause carried: SB 2023.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, replace line 18 with:

"Business process modeling services	<u>400,000"</u>
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Page 2, replace lines 2 and 3 with:

"2010 and 2011 flood expenditures	<u>\$1,587,193</u>
Total general fund	\$1,587,193"

Page 2, replace lines 10 and 11 with:

"Capital assets	<u>\$152,000</u>
Total general fund	\$152,000"

Page 2, replace lines 22 and 23 with:

"Operating expenses	<u>\$4,250,000</u>
Total special funds	\$4,250,000"

Page 2, replace lines 25 through 27 with:

"Grand total general fund	\$5,745,640
Grand total special funds	<u>4,250,000</u>
Grand total all funds	\$9,995,640"

"SECTION 2. ADJUTANT GENERAL - STATE DISASTER RELIEF FUND.

The operating expenses line item in subdivision 9 of section 1 of this Act includes \$4,250,000 from the state disaster relief fund.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment:

- Decreases funding from the general fund to Minot State University by \$413,386, from \$2,000,579 to \$1,587,193.
- Decreases funding from the general fund to Valley City State University by \$3,300,000, from \$3,452,000 to \$152,000, relating to removal of funding for a flood protection project.
- Decreases funding from the state disaster relief fund to the Adjutant General by \$750,000, from \$5,000,000 to \$4,250,000.
- Adds a new section to clarify that the funding provided to the Adjutant General is from the state disaster relief fund.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2007 and SB 2320.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2006, SB 2014, SB 2027, and SB 2150, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2006: Sens. Wanzek; Krebsbach; Heckaman

SB 2014: Sens. Wanzek; Sorvaag; Heckaman

SB 2027: Sens. Armstrong; Casper; Grabinger

SB 2150: Sens. Luick; Hogue; Nelson

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has appointed as a conference committee to act with a like committee from the Senate on:

SB 2031: Reps. Nathe; D. Johnson; Hunsakor

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1051, HB 1111, HB 1112, HB 1136, HB 1141, HB 1165, HB 1264, HB 1304, HB 1305, HB 1328, HB 1366, and HB 1387.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1392, and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1392: Reps. Dockter; Owens; Mitskog

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has appointed as a conference committee to act with a like committee from the House on:

HB 1106: Sens. Armstrong; Hogue; Nelson

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has not adopted the conference committee report on: HB 1229.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2120, SB 2327, SB 2334.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report on: SB 2050.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1102.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1206.

MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)

MR. PRESIDENT: The House has adopted the conference committee report and subsequently failed to pass: SB 2066.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: SB 2004, SB 2043, SB 2189, SB 2214, SB 2250, SB 2271, SB 2274, SB 2348, SCR 4019.

MESSAGE TO THE HOUSE FROM THE SENATE (JANE SCHAIBLE, SECRETARY)

MR. SPEAKER: The President has signed: HB 1033, HB 1040, HB 1072, HB 1085, HB 1201, HB 1284, HB 1469, HCR 3028, HCR 3039, HCR 3051, HCR 3055, HCR 3056.

COMMUNICATION FROM GOVERNOR JACK DALRYMPLE

This is to inform you that on April 9, 2015, I have signed the following: SB 2079, SB 2176, and SB 2231.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for filing on April 9, 2015: SCR 4019.

MOTION

SEN. KLEIN MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. KLEIN MOVED that the Senate be on the Fourth, Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Friday, April 10, 2015, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1021, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1021 was placed on the Sixth order on the calendar.

Page 1, remove lines 12 through 24

Page 2, replace lines 1 through 4 with:

"Salaries and wages	\$51,553,251	\$6,559,964	\$58,113,215
Accrued leave payments	2,626,084	(2,626,084)	0
Operating expenses	64,734,643	5,029,479	69,764,122
Capital assets	12,500,600	(3,650,600)	8,850,000
Center for distance education	5,868,391	3,128,214	8,996,605
Statewide longitudinal data system	1,870,754	6,129,907	8,000,661
Educational technology council	1,614,609	1,091,338	2,705,947
EduTech	8,052,094	1,247,897	9,299,991
K-12 wide area network	4,928,177	75,271	5,003,448
Geographic information system	1,245,294	26,044	1,271,338
Health information technology office	4,750,723	629,921	5,380,644
Criminal justice information sharing	3,069,361	(3,069,361)	0
Federal stimulus funds	6,800,000	(6,800,000)	0
Total all funds	\$169,613,981	\$7,771,990	\$177,385,971
Less estimated income	149,674,553	305,431	149,979,984
Total general fund	\$19,939,428	\$7,466,559	\$27,405,987
Full-time equivalent positions	340.30	10.00	350.30"

Page 2, after line 12, insert:

"Statewide longitudinal data system	0	2,500,000"
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Page 2, replace lines 14 through 16 with:

"Total all funds	\$1,315,000	\$3,550,000
Less estimated income	0	0
Total general fund	\$1,315,000	\$3,550,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1021 - Information Technology Department - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$51,553,251	\$58,290,270	(\$177,055)	\$58,113,215
Operating expenses	64,734,643	69,738,122	26,000	69,764,122
Capital assets	12,500,600	8,850,000		8,850,000
Center for distance education	5,868,391	6,607,946	2,388,659	8,996,605
Statewide longitudinal data system	1,870,754	5,505,409	2,495,252	8,000,661
Educational technology council	1,614,609	2,707,304	(1,357)	2,705,947
EduTech	8,052,094	9,087,495	212,496	9,299,991
K-12 wide area network	4,928,177	5,006,161	(2,713)	5,003,448
Geographic information system	1,245,294	1,272,016	(678)	1,271,338

Health information technology office	4,750,723	5,383,357	(2,713)	5,380,644
Criminal justice information sharing	3,069,361			
Federal stimulus	6,800,000			
Accrued leave payments	<u>2,626,084</u>			
Total all funds	\$169,613,981	\$172,448,080	\$4,937,891	\$177,385,971
Less estimated income	<u>149,674,553</u>	<u>149,163,459</u>	<u>816,525</u>	<u>149,979,984</u>
General fund	\$19,939,428	\$23,284,621	\$4,121,366	\$27,405,987
FTE	340.30	345.30	5.00	350.30

Department No. 112 - Information Technology Department - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Centers for Distance Education ²	Adds Funding for Security Analyst ³	Adds One-Time Funding for Statewide Longitudinal Data System ⁴	Total Senate Changes
Salaries and wages	(\$177,055)				(\$177,055)
Operating expenses			26,000		26,000
Capital assets					
Center for distance education	(17,638)	2,406,297			2,388,659
Statewide longitudinal data system	(4,748)			2,500,000	2,495,252
Educational technology council	(1,357)				(1,357)
EduTech	(20,351)		232,847		212,496
K-12 wide area network	(2,713)				(2,713)
Geographic information system	(678)				(678)
Health information technology office	(2,713)				(2,713)
Criminal justice information sharing					
Federal stimulus					
Accrued leave payments					
Total all funds	(\$227,253)	\$2,406,297	\$258,847	\$2,500,000	\$4,937,891
Less estimated income	(180,754)	997,279	0	0	816,525
General fund	(\$46,499)	\$1,409,018	\$258,847	\$2,500,000	\$4,121,366
FTE	0.00	4.00	1.00	0.00	5.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added for the Centers for Distance Education for K-12 education, including funding for temporary employees, software, contractual services and repairs (\$1,706,578), as well as 4 teacher FTE positions (\$678,791) and related salary increases (\$20,928).

³ Funding is added for a security analyst FTE position (\$225,000) and related operating expenses (\$26,000) and salary increase (\$7,847) to provide security at the Fusion Center.

⁴ One-time funding is added for contractor and development expenses to continue the statewide longitudinal data system project.

REPORT OF STANDING COMMITTEE

HB 1025, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1025 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Veterans' affairs	\$1,410,580	\$455,398	\$1,865,978"
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Page 1, replace lines 15 through 17 with:

"Total all funds	\$1,420,703	\$460,275	\$1,880,978
Less estimated income	<u>0</u>	<u>288,018</u>	<u>288,018</u>
Total general fund	\$1,420,703	\$172,257	\$1,592,960"

Page 1, replace line 23 with:

"Website	\$15,000	\$10,000"
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Page 2, replace line 2 with:

"Service dogs	50,000	50,000"
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Page 2, replace line 4 with:

"Total general fund	\$395,000	\$60,000"
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Page 2, remove lines 9 through 13

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1025 - Department of Veterans' Affairs - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Veterans' Affairs	\$1,410,580	\$1,752,651	\$113,327	\$1,865,978
Accrued leave payments	10,123			
Transport Vans		15,000		15,000
Total all funds	\$1,420,703	\$1,767,651	\$113,327	\$1,880,978
Less estimated income	<u>0</u>	<u>284,453</u>	<u>3,565</u>	<u>288,018</u>
General fund	\$1,420,703	\$1,483,198	\$109,762	\$1,592,960
FTE	8.00	9.00	0.00	9.00

Department No. 321 - Department of Veterans' Affairs - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases ¹	Adds Funding for Targeted Market Equity ²	Increases Funding for Stand Down Events ³	Adds One-Time Funding for Website Upgrade ⁴	Adds One-Time Funding for Service Dogs ⁵	Total Senate Changes
Veterans' Affairs	(\$6,773)	\$55,100	\$5,000	\$10,000	\$50,000	\$113,327
Accrued leave payments						
Transport Vans						
Total all funds	(\$6,773)	\$55,100	\$5,000	\$10,000	\$50,000	\$113,327
Less estimated income	<u>3,565</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,565</u>
General fund	(\$10,338)	\$55,100	\$5,000	\$10,000	\$50,000	\$109,762
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is provided for targeted equity salary funding.

³ Funding is increased by \$5,000 for stand down events to provide a total of \$20,000.

⁴ One-time funding is provided to complete an upgrade to the agency website.

⁵ One-time funding is added for service dog training to provide service dogs to veterans with post traumatic stress disorder (PTSD).

REPORT OF STANDING COMMITTEE

HB 1285, as reengrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1285 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1406, as engrossed: Finance and Taxation Committee (Sen. Cook, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1406 was placed on the Sixth order on the calendar.

Page 1, line 3, after the second comma insert "and"

Page 1, line 3, remove ", and motor vehicle excise"

Page 1, line 8, after the second bold underscored comma insert "**and**"

Page 1, line 8, remove "**, or motor vehicle**"

Page 1, line 9, remove "**excise**"

Page 1, line 10, remove ", in consultation with the tax commissioner."

Page 1, line 10, after "agreement" insert "on behalf of the state"

Page 1, line 11, after "Tribe" insert "which complies with the provisions of this chapter"

Page 1, line 12, remove "or motor vehicle excise"

Page 1, line 12, remove ", or all of those"

Page 1, line 13, remove "taxes."

Page 1, line 18, remove "or motor vehicle excise"

Page 1, line 18, remove ", or all of those taxes."

Page 1, line 22, remove "or motor vehicle excise taxes, or all of those"

Page 1, line 22, remove the second underscored comma

Page 2, line 1, after "a" insert "tribal"

Page 2, line 1, after "rate" insert ", except as provided in subdivision b."

Page 2, line 3, after the second underscored comma insert "**and**"

Page 2, line 3, replace ", and 57-40.3. However." with "but must be applied to only those"

Page 2, line 4, after "activities" insert "that are"

Page 2, line 5, remove "are taxable by the tribe"

Page 2, line 6, after "b." insert "Must also impose a separate and additional tribal sales, use, and gross receipts tax at a rate of one-fourth of one percent which conforms in all respects with regard to the taxable or exempt status of transactions and activities under chapters 57-39.2, 57-39.5, 57-39.6, and 57-40.2. However, taxable transactions and activities exempt from state taxes because they occur within the tribe's jurisdiction must also be subject to the tax under this subdivision by the tribe. The entire tax revenue from the tax imposed under this subdivision must be transferred to the state treasurer and paid to the Standing Rock Sioux Tribe."

c."

Page 2, line 7, replace "one hundred eight" with "ninety"

Page 2, line 9, replace "c." with "d."

Page 2, line 14, remove "agreed"

Page 2, line 14, after "amount" insert "equal to three percent of the total amount collected, from the tribal taxes imposed under subdivisions a and b of subsection 2."

Page 2, line 19, after "state" insert "and subject to taxes imposed by the state or the tax imposed under subdivision a of subsection 2"

Page 2, line 19, replace "between" with "eighty percent to"

Page 2, line 20, after "and" insert "twenty percent to"

Page 2, line 20, remove ". in proportion to the percentage of enrolled"

Page 2, remove lines 21 and 22

Page 2, line 23, remove "decennial census by the United States census bureau"

Page 2, line 23, after the underscored period insert "The tribal share of the tax allocated under this subdivision must be transferred to the state treasurer and paid to the Standing Rock Sioux Tribe. However, the tribal share paid to the Standing Rock Sioux Tribe under the agreement is limited to two million dollars during a state biennium and any amount exceeding that limitation must be deposited by the state treasurer in the state general fund."

Page 2, line 25, replace "additional tribal" with "any other"

Page 2, line 26, remove "or motor vehicle excise tax, or all of those taxes."

Page 2, line 30, after "enforce" insert "within the exterior boundaries of the Standing Rock Reservation"

Renumber accordingly

The Senate stood adjourned pursuant to Senator Klein's motion.

Jane Schaible, Secretary

